

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL POKLADEK,

Petitioner,

v.

Civil No. 2:14-CV-13602

HONORABLE PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

DEWAYNE BURTON,

Respondent.

**OPINION AND ORDER DENYING THE MOTION TO AMEND THE PETITION FOR
WRIT OF HABEAS CORPUS TO A PETITION FOR WRIT OF ERROR**

Michael Pokladek filed a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 in which he challenged the revocation of his probation on his conviction of attempted fleeing and eluding a police officer, third-degree, Mich. Comp. Laws 257.602a(3)(a). The Court denied as moot the petition for a writ of habeas corpus because petitioner had been discharged from custody. *Pokladek v. Burton*, No. 2:14-CV-13602, 2016 WL 393167 (E.D. Mich. Feb. 2, 2016).

Petitioner has filed a motion to amend his petition for writ of habeas corpus to a petition for a writ of error. For the reasons that follow, the motion is DENIED.

The Court assumes that petitioner is asking that his petition be amended to a petition for a writ of error coram nobis. “[A] writ of error coram nobis is not the proper procedural vehicle to contest a state court conviction in federal court.” *Burkhart v. Ohio*, 755 F.2d 931 (Table); 1985 WL 12872, * 1 (6th Jan. 22, 1985)(citing *Blake v. State of Florida*, 395 F.2d 758 (5th Cir. 1968)). Thus, petitioner cannot use a petition for writ of coram nobis to obtain relief from his conviction or probation violation.

IT IS HEREBY ORDERED that the motion to amend the petition [Dkt. # 20] is
DENIED.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 23, 2016

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 23, 2016.

s/Deborah Tofil
Case Manager